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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,933	12/05/2001	Sherri Coseo Veach	SV-1-mv	9836

7590 03/29/2004
Michael I. Kroll
171 Stillwell Lane
Syosset, NY 11791

EXAMINER

SWARTHOUT, BRENT

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,933

Applicant(s)

VEACH, SHERRI COSEO

Examiner

Brent A Swarthout

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10,12-21,23 and 27-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 10,12-21,23 and 27-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claims 10,12,13,15,16,19-21,23,27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tim Kao in view of Sarokin.

Tim Kao discloses a vehicle front brake indication system as set forth above, except for use of front brake indicators at the turn signals near the headlights, use of hook fasteners, or use of a triangle light arrangement.

Sarokin teaches desirability of mounting front brake indicator lights at the turn signals, which are near the headlights.

It would have been obvious to one of ordinary skill in the art to use front brake light indicators at the turn signals as suggested by Sarokin in conjunction with a system as disclosed by Tim Kao having an indicator at the middle bumper section, in order to provide better indication of braking to those in front of or to the side of a vehicle.

Choosing to use well known hook fasteners would have been obvious, since such are well known in the art for attaching lights to vehicle structural elements.

Since the two wide mounted lights of Sarokin would be used with the central mounted light as taught by Tim Kao, the resulting indication would have been in a triangular arrangement.

Choosing to mount lights in the bumper as opposed to on the bumper would have been obvious, since Tim Kao already teaches mounting lights in the bumper (Fig. 1), the choice being merely an aesthetic matter of design choice.

2. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tim Kao in view of Sarokin and Parker et al.

Parker teaches desirability of providing wrap-around illumination for a bumper to indicate braking (Fig. 4; col. 9, line 16).

It would have been obvious to utilize wrap-around illumination to indicate braking in a front bumper as taught by Tim Kao and Sarokin, in order to allow greater visibility to those on the sides of the vehicle.

3. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tim Kao in view of Sarokin and Viano et al.

Viano teaches incorporating front mounted brake lighting devices 80 with standard wrap-around corner light means (Fig. 1; col. 2, lines 46-50).

It would have been obvious to use wrap-around front brake lights in conjunction with conventional signal light means as taught by Viano with a front mounted brake light system as disclosed by Tim Kao and Sarokin, in order to increase visibility on the side of the vehicle.

4. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tim Kao in view of Viano et al.

It would have been obvious to use corner lighting as taught by Viano in conjunction with a front mounted brake light as disclosed by Tim Kao, in order to have a more noticeable braking indication.

5. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tim Kao in view of Parker et al.

It would have been obvious to use wrap-around bumper lighting as taught by Parker in conjunction with a front-mounted braking system as disclosed by Tim Kao, in order to allow greater visibility from the side of the vehicle.


6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 703-305-4383. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on (703) 305-4717. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.


Brent A Swarthout
Examiner
Art Unit 2636

**BRENT A. SWARTHOUT
PRIMARY EXAMINER**